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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/620,221

07/15/2003

Gary A. Koppel

22064-71990

8706

23643 7590 10/02/2007
BARNES & THORNBURG LLP
11 SOUTH MERIDIAN
INDIANAPOLIS, IN 46204

EXAMINER

ROYDS, LESLIE A

ART UNIT

PAPER NUMBER

1614

MAIL DATE

DELIVERY MODE

10/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/620,221	7/15/2003	KOPPEL, GARY A.	22064-71990

BARNES & THORNBURG LLP
11 SOUTH MERIDIAN
INDIANAPOLIS, IN 46204

EXAMINER

Leslie A. Royds

ART UNIT**PAPER**

1614

20070925

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents**NOTICE OF NON-RESPONSIVE AMENDMENT**

Applicant's response filed July 23, 2007 to the Requirement for Restriction/Election dated April 23, 2007, has been received and entered into the present application. Applicant's election of (a) dementia as the species of cognitive disorder, (b) clavulanic acid as the species of clavulanate compound and (c) 10,11-methanodibenzosuberane and derivatives thereof as the species of P-glycoprotein efflux pump inhibitor, is acknowledged.

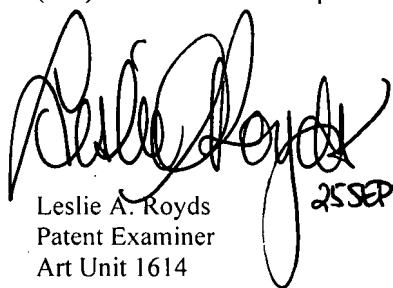
It is noted, however, that Applicant has failed to satisfy the requirements set forth at page 4 of the previous Office Action dated April 23, 2007 for electing a SINGLE DISCLOSED SPECIE of P-glycoprotein efflux pump inhibitor compound for examination on the merits. Applicant's election of "10,11-methanodibenzosuberane and derivatives thereof" circumscribes a genus of compounds not limited solely to 10,11-methanodibenzosuberane, but open to any derivative form thereof. Accordingly, Applicant's failure to elect a single chemical entity of P-glycoprotein efflux pump inhibitor for examination on the merits renders the instant response non-compliant. In response to this notice, Applicant is advised that the response will again be held non-compliant should Applicant elect a genus of P-glycoprotein efflux pump inhibitors for examination on the merits.

A telephone call was made on Tuesday, September 25, 2007, to clarify the election, but was unsuccessful in reaching Applicant's representative.

Applicant is advised that a proper reply to this notice will reiterate the invention elected for examination on the merits and also reiterate the species of cognitive disorder and species of clavulanate compound for examination, as well as provide an election of a SINGLE DISCLOSED SPECIE of P-glycoprotein efflux pump inhibitor to which examination on the merits will be restricted.

Since the above-mentioned response appears to be a bona fide attempt to reply, Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction, as well as a proper response to the previous Office Action, in order to avoid abandonment. Extensions of this time period under 37 C.F.R. 1.136(a) are available.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Leslie A. Royds, whose telephone number is (571)-272-6096. The Examiner can normally be reached Monday through Friday, 9:00 AM to 5:30 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Ardin H. Marschel, can be reached on (571)-272-0718. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.



Leslie A. Royds
Patent Examiner
Art Unit 1614

25 SEPTEMBER 2007



ARDIN H. MARSCHEL
SUPERVISORY PATENT EXAMINER